

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Diego Dilan Rodriguez Ordonez,	:
	:
Petitioner,	:
	:
-against-	:
	:
	:
Chad Wolf, et al.	:
	:
	:
Respondents.	:
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ORDER REGULATING PROCEEDINGS

20 Civ. 1727 (AKH)

ALVIN K. HELLERSTEIN, UNITED STATES DISTRICT JUDGE:

Petitioner's reply brief, *see* ECF No. 37, puts forth arguments relating to his alleged obesity and high blood pressure that were not mentioned in his amended habeas petition, *see* ECF No. 28. These novel contentions will not be considered at tomorrow's telephonic oral argument. *See, e.g., Melo v. United States*, 825 F.Supp.2d 457, 464 (S.D.N.Y. 2011) (noting that arguments raised for the first time in a reply brief are waived). The hearing will focus only on issues raised in the amended petition. In the event Petitioner would like to amend his habeas petition for a second time after tomorrow's argument, he must make a motion to that effect.

SO ORDERED.

Dated: New York, New York
April 21, 2020

_____/s/_____
ALVIN K. HELLERSTEIN, U.S.D.J.